

Michigan Department of Civil Service

# REGULATION

<b>Appointing Authority Letter Reference:</b>  CS-6940	<b>Effective Date:</b>  March 18, 2001	<b>Index Reference:</b>  Departmental Layoff Plans	<b>Regulation Number:</b>  <b>2.02</b>
<b>Issuing Bureau:</b> Human Resource Services	<b>Rule Reference:</b>  Rule 2-5 (Employment Preference)		<b>Replaces:</b> Reg. 2.02 (CS-6852, July 3, 1997)
<b>Subject:</b>  <b>DEPARTMENTAL LAYOFF PLANS</b>			

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## 1. **PURPOSE**

This regulation provides departments with standards and methods of developing departmental layoff plans and establishes the criteria the Department of Civil Service uses in the review process.

## 2. **CIVIL SERVICE COMMISSION RULE REFERENCE**

### ***Rule 2-5 Employment Preference***

#### ***2-5.1 Application and Protection***

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(d) ***Departmental layoff plans.*** The department of civil service may approve a departmental layoff plan that varies the application of employment preference within a department or autonomous agency. An approved departmental layoff plan may vary the application of employment preference in the following areas only:

(1) *The application of county preference based on organizational or geographic limits.*

- (2) *The application of employment preference between recognized autonomous entities of a principal department.*
- (3) *The application of employment preference into additional positions in class clusters approved by the appointing authority and the department of civil service.*
- (4) *The application of employment preference between eligible employee status codes.*

### 3. **STANDARDS**

- A. No departmental layoff plan will be approved that does not conform to civil service rules, particularly rule 2-5. A statement must be included to specify that the departmental layoff plan is applicable only to employees not covered by a collective bargaining agreement.
- B. The following provisions regarding application of employment preference cannot be modified by a departmental plan:
  - 1. Determinations of preference by total continuous state service.
  - 2. Qualification determinations, as specified in the current rules.
  - 3. Applications of preference between employees with a collective bargaining agreement and those without such an agreement.
  - 4. Any terminology definitions included in the current rules.
  - 5. Employment preference, as defined in the current rules.
- C. The Department of Civil Service must approve departmental layoff plans at least 28 calendar days before their implementation.
- D. Notice to all affected employees must be published and issued at least 14 calendar days before implementation of a departmental layoff plan.
- E. Departments that want to apply employment preference into additional positions in class clusters must identify the proposed classifications to be clustered.

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- F.** Every classification in the proposed cluster must meet the minimum requirements of the job specifications for every other classification in that proposed cluster.
- G.** Departments that wish to apply employment preference between employee status codes must include this in their plans.
- H.** Departmental layoff plans must include a clear and understandable explanation of the procedures to be used to implement the plan.
- I.** Civil Service will review departmental layoff plans within 14 calendar days following receipt of all relevant information.

#### **4. PROCEDURE**

<b><u>Responsibility</u></b>	<b><u>Action</u></b>
Appointing Authority	1. Prepares a departmental layoff plan in accordance with the standards identified in this regulation.
	2. Sends the drafted plan to the Department of Civil Service.
Department of Civil Service	3. Reviews the plan for conformance with rule 2-5 and the standards established by this regulation.
	4. Sends letter to appointing authority approving or recommending necessary modifications to the departmental layoff plan.
Appointing Authority	5. Upon receipt of letter approving or recommending modifications to the departmental layoff plan: <ul style="list-style-type: none"> <li>a. Issues notice of the approved departmental layoff plan to all affected employees.</li> </ul>
	<b>OR</b>
	b. Makes necessary modifications to the plan and returns to the Department of Civil Service, (Step 2 in this procedure) for approval.

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## **CONTACT**

Questions regarding this regulation should be directed to the Department of Civil Service, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909, (517) 373-3048 or 1-800-788-1766, or MDCS-BHRS@state.mi.us.

**NOTE:** Regulations are issued by the State Personnel Director under authority granted in the State of Michigan *Constitution* and the *Michigan Civil Service Commission Rules*. Regulations that implement Commission Rules are subordinate to those Rules.